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09/779,014	02/07/2001	Gerhard Siemens	01P7449US	5618

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Siemens Corporation
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EXAMINER	
MOORE, IAN N	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/779,014	SIEMENS ET AL.	
	Examiner	Art Unit	
	Ian N. Moore	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,10-13,16 and 17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1 and 10* is/are allowed.

6)☒ Claim(s) *11-13,16 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 October 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 12 and 13 are objected to because of the following informalities:

Claim 12 recites, "**a** single time slot" in line 2. It is unclear whether "**a** single time slot" in line 2 of claim 12 is the same as "**a** single time slot" in line 4 of claim 11.

Claim 13 recites, "**the a** single time slot" in line 3. It is unclear whether "the a single time slot" refers to "a single time slot" in line 2 of claim 12, or "a single time slot" in line 4 of claim 11.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11, 13 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccone (US006128504A) in view of Smith (US006272121B1).

Regarding claim 11, Ciccone discloses a method for providing an audio broadcast for a time slot division multiplex access system (see col. 9, lines 20-36; TDMA system) with a base part (see FIG. 1, a cordless telephone base unit 10) and a plurality of portable parts (see FIG. 1, 4, TDD base receive time slots at handsets 20,30, and/or 40), comprising:

placing the plurality of portable parts in a receive only mode (see FIG. 15, step 1537, Received Only Mode; see col. 17, line 35-40; col. 22, lines 6-40, note that upon receiving the broadcast command, the handset unit performs according to the command in the received time slot and changes/processes the receiving time slot of handset unit to a receiving only time slot);

generating an audio broadcast command at the base part (see FIG. 12, Step 1217, transmit broadcast commands; see col. 19, lines 10-25; note that base station a broadcast command in acquisition mode utilizing chose/designed/assigned time slot) by designating a single time slot (see FIG. 7, Base station TDD, acquisition mode time slot user 1 and/or user 2; note that the base station chooses/designates/assigns a time slot of transmitting time slots and receiving slots for users; see col. 11, lines 44-60);

transmitting the audio broadcast command from base part to the plurality of portable parts (see FIG. 12, Step 1217, transmit broadcast commands; see col. 19, lines 10-25; note that base station a broadcast command in acquisition mode utilizing chose/designed/assigned time slot);

transmitting a broadcast origination signal from an additional portable part to the base part (see FIG. 15, steps 1501, 1502, 1504, 1507, 1509, 1511; see col. 20, lines 47 to col. 67, see col. 21, lines 17-50; note that the handset initiates/originates the broadcast/acquisition signal/frame after awaking) followed by an audio message (see col. 8, lines 40-60; note that when the handset user initiates the transmission, the audio message is transmitted to the base station); and

dividing receiving time slots (see FIG. 4, 7; RX1 and RX2 slots in a frame) and sending time slots for the base part (see FIG. 3, TX1 and TX1 slot in a frame; also see

FIG. 12, step 1212 and 1215; see FIG. 7, Base station TX1 and TX2; see col. 10, lines 10 to col. 12, lines 5), wherein the designated time slot is one of the sending time slots (see FIG. 7, Base station TDD, acquisition mode time slot user 1 and/or user 2 where base station chooses/designates/ assigns a time slot from transmitting time slots; see col. 11, lines 44-60; see col. 17, line 5, line 5-25) and wherein the transmitting audio broadcast command is transmitted during at least two of sending time slots (see FIG. 3, 7, OPCODE field and security code fields are transmitted during two time slots (i.e. ; see col. 14, line 27-60; see col. 16, line 19-35).

Ciccone does not explicitly disclose more than three receiving time slots and more than three sending time slots. However, DECT system having 24 TDMA slots and broadcast command sending during at least two time slots are well known in the art (i.e. DECT standards such as ETS 300-175 and ETS 300-444). In particular, Smith teaches dividing (see FIG. 2, dividing DECT time frame 201) more than three receiving time slots (see FIG. 2, Fix to portable 204 with 12 channels (0→ 11)) and more than three sending time slots for the base part (see FIG. 2, portable to fix 205 with 12 channels (12→23)), wherein the designated time slot is one of the more than three sending time slots (see FIG. 2, 9, assigned/designated time slot within 0→11 time slots) and wherein the transmitting audio broadcast command (see FIG. 3, broadcast command channel Q 310) is transmitted during at least two of the more than three sending time slots (see FIG. 3, broadcast Q is send during two slots); see col. 3, line 42 to col. 4, line 67; see col. 10, line 40-67.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide more than three receiving and sending time slots,

as taught by Smith in the system of Ciccone, so that it would perform synchronization fast enough to effectuate communication between sender and user within the constraints of time multiplexed environment; see Smith col. 2, line 16-36; also by assigning channels in accordance with DECT standards, it would provide interoperate ability.

Regarding Claim 13, Ciccone discloses synchronizing the plurality of portable parts to the single time slot (see FIG. 15 and 16, Steps 1539,1541, 1601, 1602; see col. 22, line 1-40; see col. 21, lines 1-16; note that by utilizing BIGSYNC, the system synchronizes the handsets to a single time slots) and turning on only speakers without turning on microphones of the plurality of portable ports (see FIG. 15, step 1537, Received Only Mode; see col. 17, line 35-40; col. 22, lines 6-40; hand set unit turns off its transmitter (i.e. microphone) and turning on receiver (i.e. speaker) by entering listen/receive only mode).

Regarding claims 16 and 17, Ciccone discloses wherein the base part (see FIG. 2, Interface unit and display 165 of the Base 10 indicates the different operation modes (i.e. broadcast/acquisition or traffic mode) of the base station) and all of the portable parts as have a broadcast indicator (see FIG. 2, a combined system Telephone circuit and keypad and display 265 selects the broadcasting function (i.e. talk or page modes) and displaying/indicates such functions; see col. 6, lines 39-54; see col. 4, lines 10-14, also note that handsets 20,30 and 40 incorporate the same components and the operation is identical);

wherein the broadcast indicators are buttons (see FIG. 2, Interface unit and display 165 is the button on the face of the base station unit 10, and a combined system Telephone circuit and keypad and display 265 is the button on the face of the handset 20).

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccone in view of Smith as applied to claim 11 above, and further in view of Brownlee (US006449480B1).

Regarding Claim 12, the combine system of Ciccone and Smith discloses broadcasting from the base part during a single time slot of a time division, receiving at the plurality of portable parts at least one of which is a hand free unit as set forth above in claim 11.

Neither Ciccone nor Smith explicitly discloses broadcasting an audio message from the base part, receiving the audio message at the plurality of portable parts; and automatically converting the audio message into sound. However, Brownlee discloses broadcasting an audio message (see FIG. 2, a broadcast LCE-PAGE-REQUEST and ALERTING-ON-CONTINUE message 55) from a base part (see FIG. 2, a broad cast message 55 is sent from base station FP 51) during a single time slot (see col. 2, lines 38-49; a single Broadcast B time slot) of a time division (see col. 3, lines 13-27; note that the time slots are divided as CC-SETUP slots, CC-ALERT slots, LCE-PAGE-REQUEST and ALERTING-ON-CONTINUE; also see col. 5, lines 4-30; note that a broadcast message is sent by utilizing a single time slot to both handsets);

receiving the audio message at the plurality of portable parts (see FIG. 2, broadcast message 55 is received at handset PP_1 at 52 and PP_2 at 53; see col. 5, lines 2-21); and

converting the audio message (see FIG. 2, 54 and 55, I/C call-Ring ON) into sound by the plurality of portable parts (see FIG. 2, Both handsets PP_1 and PP_2 start ringing; note that the audio I/C message of LCE-PAGE-REQUEST is converted into ringing sound), which form part of the time slot division system (see FIG. 2, the converted ringing sound is the part of time slot division system which is triggers by the request sent via a time slot); see col. 5, lines 2-21.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide broadcasting an audio message from the base part, and the portable part converting into a sound, as taught by Brownlee, in the combined system of Ciccone and Brownlee, so that it would possible to establish a communication link with every handset simultaneously in a system with numerous handsets; see Brownlee col. 1, line 59 to col. 2, line 23.

Allowable Subject Matter

5. Claims 1 and 10 are allowed.

Response to Arguments

6. There are no arguments presented by the applicant, and with respect to claims 11-13,16-17 have been considered but are moot in view of the new ground(s) of rejection. Regarding applicant's remark (page 8) on claim 11 as being allowable, examiner respectively disagree with applicant's remark since claim 11 does not contain all limitation as recited in allow claim 10.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

INM
4/10/06

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